Annotated Outline

INDICATIVE FRAMEWORK FOR CAPACITY BUILDING
Under the
Cartagena Protocol on Biosafety

1. GOALS AND OBJECTIVES FOR THE INDICATIVE FRAMEWORK ON CAPACITY BUILDING

The introductory section will introduce the goal and major objectives of an Indicative Framework for Capacity Building under the Cartagena Protocol on Biosafety. In its broadest terms, the Protocol can be seen as designed to take proactive and effective steps to identify and prevent potential negative effects of modern biotechnology as defined under the Protocol, in order to allow its benefits to be realized. The major goal for the Indicative Framework on Capacity Building is to set out a framework for assisting developing countries and countries with economies in transition to achieve the capacity necessary to implement the Protocol - that is capacities to evaluate risks and to make informed decisions.

As part of the work programme in the period before the Protocol has entered into force, the mandate for the Intergovernmental Committee of the Cartagena Protocol has identified capacity building as a key requirement for the early, successful implementation of the Protocol. Because the Indicative Framework is being developed in the pre-entry into force period, it can be understood to have two time periods for capacity building in mind: pre-entry into force and post entry into force. While no final decisions may be taken on behalf of the future Parties to the Protocol, the ICCP itself can use this period to provide guidance to other bodies including bilateral and multilateral cooperation and financing programmes, the engaged private sector, and countries seeking to receive capacity building support. This period can, as a result, be turned into an active capacity building period to encourage and support ratification of the Protocol. The guidance on capacity building prepared by the ICCP can then be considered by the first Meeting of the Parties to the Protocol for further action.

The Introduction section will include three specific context-setting sub-sections.

1.1 Legal parameters for capacity building under the Protocol

This section will highlight the relevant articles of the Cartagena Protocol and the role of the Protocol as an instrument for biosafety. It will note the international and national elements associated with ensuring safety in the biotechnology fields and activities covered by the Protocol.

1.2 Guidance and priorities emanating from the Conference of the Parties and the Ministers

Capacity building for biosafety has been the subject of several previous CoP decisions and related Ministerial and other meetings. This section will summarize the substance of these important sources of existing guidance which the ICCP may then wish to build upon. Annex 1 will provide a digest of the key elements from these decisions and related materials.

1.3 Capacity building principles

Over the past decade, capacity building efforts relating to international environmental agreements and other environment and development initiatives have led to the identification of key operating principles. This section will provide a brief summary of the key principles in the context of the Cartagena Protocol.

2. IDENTIFICATION OF THE TYPES OF CAPACITY REQUIRED TO IMPLEMENT THE PROTOCOL

At least two major types of capacities can be identified in relation to implementing the Protocol. Legal framework capacity building and administrative capacity can be understood as relating to the risk management aspects of the Protocol. Scientific capacity, including both hard science and social science, can be understood as related to its risk assessment aspects. All these capacities are essential for countries to effectively implement the core features of the Protocol, such as the Advanced Informed Agreement process and the procedure under Article 11.

Table 1 provides a basis for further developing this section. Additional areas for capacity building attention emanating from the Protocol will also be identified.

In addition to specific legal, administrative and scientific skills, the development of institutional capacities, and the capacity to train personnel will also be considered.

The development of an aware public with the capacity to participate in the development and implementation of national biosafety programmes is a further cross-cutting element that will be considered.

Capacity development generally needs to occur at the level of individual people as well as institutions. Both these levels will be considered in the identification of the needs of regulators, scientists, and farmers and other potential end users of LMO’s covered by the Protocol.

Table 1: Preliminary Indication of Required Capacities

Risk Management	Risk Assessment	
	Science-based capacity	**Social science capacity**
• Develop legal framework • Administer and disseminate information on legal framework • Administrative procedures to apply legal requirements • Capacity to administer notification and response process • Capacity to make advanced informed decision in time frames • Identification and handling • Capacity to review compliance • Capacity to enforce the process • Capacity to provide on-going domestic training • Capacity of end-users for safe handling and use practices • Capacity to monitor, review and report on the effectiveness of risk management programme • Exchange of scientific, technical, environmental and legal information, and communication to the Biosafety CHM • Public awareness and participation	• Risks to conservation and sustainable use of biodiversity • Risks to human health • Environmental contamination and cross fertilization • Ecosystem effects • Plant and animal health risks • Enhancement of related scientific and technical capacities • Enhancement of related technological and institutional capacities • Public awareness and participation • Capacity to provide on-going domestic training (Specific types of scientific skills will be required for the above purposes)	• Value of biodiversity to local and indigenous communities • Food security • Other socio-economic considerations • Capacity to provide on-going domestic training • Public awareness and participation

3. POTENTIAL APPROACHES AND OPTIONS FOR ACHIEVING THE REQUIRED CAPACITY

3.1 Approaches and options

Different approaches and models can be identified for ensuring the capacity to identify and manage the risks of biotechnology is made effective. These models, which may be combined according to particular needs, may include:

- Each country having the complete national capacity to fully assess and manage the risks

- Combining national capacity for decision-making and risk management with the scientific capacity of exporting countries and private sector exporters for risk assessment
- Combining national capacity for decision-making and risk management with a regionally based scientific capacity for risk assessment
- Regional harmonization/integration of all required capacity, potentially including decision-making
- The development of model legal and administrative regimes to assist in each of the above.

In addition to these models, the roles and use of the Roster of Experts will be considered, as well as the opportunities for information sharing as they relate to capacity building.

The role of the Secretariat, in particular in the period prior to entry into force of the Protocol, will be considered.

3.2 Financial and technical resources

A range of financial and technical resources can be considered as useful to support biosafety capacity development. This range includes the role of the GEF as the financial mechanism of the Protocol, bilateral funding and technological opportunities, regional cooperation, multilateral agencies with related mandates and expertise, and private sector businesses, research organizations and NGOs. Specific capacity building and resource requirements will need to be identified on a country-by-country basis. The section will also identify potential roles in capacity development for different types of organizations.

4. OVERVIEW OF EXISTING AND COMPLETED CAPACITY BUILDING ACTIVITIES

This section will summarize the existing base of capacity building programmes for biosafety. It will consider the orientation of existing programmes from the perspectives of the types of capacity being targeted and the approaches being taken, thereby integrating these with the analysis in the two preceding sections. The section will summarize work at the multilateral, regional, bilateral, private sector (NGO, research institutes and business) levels, providing an indication of roles and responsibilities under the existing programs.

Annexes will be developed that will provide individual summaries of existing programs, broken down to reflect inter-governmental organizations, regional organizations, bilateral programs, and private sector NGO and business activities. Depending on the inputs received, one or several annexes will be used for this purpose.

5. NEXT STEPS

Recommendations on next steps will be developed from the point of view of next steps from ICCP 1 to the first Meeting of the Parties. This will provide ICCP participants an opportunity to target at least some parts of the ongoing capacity building programme to the pre-entry into force period, in order to help promote and support ratification, while also achieving its responsibilities for specific forward-looking recommendations to the MoP. One possibility for ICCP 1 would be to consider a questionnaire focusing on specific capacity needs based on the Indicative Framework. This could be combined, for example, with further consideration of possible mechanisms for linking these needs to agencies able to provide technical and financial support.

ANNEXES

Annex 1: Table of guidance drawn from CoP decisions and related documents

Annex 2: Summaries of ongoing or completed capacity building activities for biosafety, indicating bilateral, regional, multilateral and private sector initiatives.